IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.32050-M of 2007
Date of Decision:- 18.05.2007

Krishan ....Petitioner(s)
through
Mrs.Sarla Chaudhary, Advocate

vs.

State of Haryana & anr. ....Respondent(s)

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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1.Whether Reporters of the local papers may be allowed to see the judgment?
2.To be referred to the Reporters or not?
3.Whether the judgment should be reported in the Digest?

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SURYA KANT, J. (ORAL)

The petitioner has been denied parole for agricultural operations on the ground that neither he owns any agricultural land nor he has been in cultivating possession of the undivided land owned by his father. The petitioner's case, thus, admittedly does not fall within the ambit of Section 3(1)(c) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988.

However, learned counsel for the petitioner contends that the petitioner's family has allegedly taken some land on lease, therefore, the petitioner is entitled to be released on parole for agricultural operations.

Section 3(1)(c) of the Act is explicit enough to provide that unless a convict is in cultivating possession of his own agricultural land or the undivided agricultural land owned by his father, he is not entitled to be released on parole for agricultural operations.

The aforesaid provision cannot be expanded and widened to

include the lease-holders also.

Consequently, no interference in the impugned order is called for. Dismissed.

May 18, 2007 **(SURYA KANT)**
poonam **JUDGE**